IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

FRIDAY, THE 26TH OCTOBER 2007 / 4TH KARTHIKA 1929

WP(C).No. 31959 of 2007()

PETITIONER:

KUMBAKARA ESTHAPPAN, AGED 67,
S/O. UTHUPPAN, NEDUNGOM P.O., AYCHERI,
SREEKANDAPURAM VILLAGE, KANNUR DISTRICT.

BY ADV. SRI.C.K.PRASAD
SRI.ABHILASH S.FRANCIS

RESPONDENTS:

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1. SREEKANDAPURAM GRAMA PANCHAYATH,
REPRESENTED BY ITS SECRETARY, KANNUR DISTRICT.

2. THE SECRETARY,
SREEKANDAPURAM GRAMA PANCHAYATH, KANNUR DISTRICT.

3. SAJEEVAN K.V., S/O. KARTHIYAYINI,
KUTTIYATHU VEETTIL, CHERIKODU P.O.,
KANNUR DISTRICT-670631.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 26/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE,J.

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W.P.(C) No.31959 of 2007

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Dated: 26th October, 2007

JUDGMENT

The grievance of the petitioner is that the third respondent, his neighbour, is constructing a building in gross violation of the statutory rules and the permit issued to him by the 1st respondent-Panchayat. I do not propose to go into the merits of the matter. The ground floor was constructed at a time when the Building Rules were not applicable in the Panchayat. The petitioner has submitted Ext.P2 representation before the Secretary of the Panchayat. The Secretary of the Panchayat will take up Ext.P2 immediately, issue notice to the third respondent, hear the petitioner and the third respondent, conduct local inspection, if necessary, and take a decision on Ext.P2. Decision as directed above will be taken at the earliest and at any rate within six weeks of receiving copy of this judgment. The third respondent is informed that the constructions which have been taken up by him over the existing building will be at his risk and subject to the decision to be taken by the Panchayat on Ext.P2.

The Writ Petition is disposed of as above.

srd **PIUS C.KURIAKOSE, JUDGE**